

136



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HAROLD A. McMASTER ET AL.

(File Wrapper Continuation of
U.S. Serial No. 08/002,090
Filed January 8, 1993)

#34
LOA
3-23-95

08/332423

Serial No. TO BE ASSIGNED

Filed: CONCURRENTLY HEREWITH

For: GLASS SHEET BENDING APPARATUS

Attorney Docket No. GLT 1463 R

SECOND SUBSTITUTE TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Petitioner, Glasstech, Inc., a Delaware corporation having a place of business at Perrysburg, Ohio, is the owner by assignment of 100 percent interest in the instant application, as well as each of U.S. Patent Nos. 4,822,398; 4,909,824; and 4,957,531, as evidenced by the chain of title from the inventors in each case to Glasstech, Inc. as set forth below:

(1) The instant application

(Continuation of U.S. Serial 08/002,090, filed January 8, 1993, which is a continuation of Reissue Application Serial No. 07/775,418, filed October 15, 1991, from U.S. Patent No. 4,883,527, issued November 28, 1993).

<u>Assignors</u>	<u>Assignee</u>	<u>Recorded At Reel/Frame</u>
Harold A. McMaster, Norman C. Nitschke, Dexter H. McMaster, Ronald A. McMaster	Glasstech International L.P.	5153/0995
Glasstech Interna- tional L.P.	GLT Corp.	5541/0105
GLT Corp.	Glasstech, Inc., Perrysburg, Ohio, a corporation of Delaware *	5439/0758

* GLT Corp. merged with Glasstech, Inc., a Delaware corporation

(2) U.S. Patent No. 4,822,398

<u>Assignors</u>	<u>Assignee</u>	<u>Recorded At Reel/Frame</u>
Harold A. McMaster, Norman C. Nitschke, Dexter H. McMaster, Ronald A. McMaster	Glasstech, Inc., an Ohio corpora- tion	4758/0931
Glasstech, Inc., an Ohio corporation	Glasstech International L.P.	4827/0722
Glasstech Interna- tional L.P.	GLT Corp.	5541/0105
GLT Corp.	Glasstech, Inc., Perrysburg, Ohio, a corporation of Delaware *	5439/0758

* GLT Corp. merged with Glasstech, Inc., a Delaware corporation

(3) U.S. Patent No. 4,909,824

<u>Assignors</u>	<u>Assignee</u>	<u>Recorded At</u> <u>Reel/Frame</u>
Harold A. McMaster, Thomas E. Feehan	Glasstech, Inc., Perrysburg, Ohio, a corporation of Delaware	5113/0479

(4) U.S. Patent 4,957,531

<u>Assignors</u>	<u>Assignee</u>	<u>Recorded At</u> <u>Reel/Frame</u>
Harold A. McMaster, Ben M. Balestra	Glasstech, Inc., Perrysburg, Ohio, a corporation of Delaware	5113/0278

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 4,822,398. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date

of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its fully statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I have reviewed the above-recorded documents which evidence the chain of title from the original owners to Glasstech, Inc., the current assignee, and I hereby certify that, to the best of my knowledge and belief, title is in Glasstech, Inc., of Perrysburg, Ohio, a Delaware corporation, the assignee seeking to take the action herein.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issued thereon.

GLASSTECH, INC.

By: Kenneth H. Wetmore
Kenneth H. Wetmore,
Vice President, General
Counsel and Secretary

Dated:

X Terminal disclaimer fee under 37 CFR 1.20(d) included.

X PTO suggested wording for terminal disclaimer was

___ unchanged, x changed (if changed, an explanation
should be supplied).

Changed to specify by reel and frame the chain of title for each of the commonly owned patents, and to include statement by declarant that the recorded documents were reviewed and that title is in Glasstech, Inc.